

CODEBOOK FOR
CODING COMPLEXITY:
BRINGING LAW TO THE EMPIRICAL ANALYSIS OF THE SUPREME COURT,
60 Hastings L. J. 477 (2009)

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GENERAL INFORMATION

This codebook presumes familiarity with the U.S. Supreme Court Database, available at <http://www.cas.sc.edu/poli/juri/sctdata.htm>.

The codebook presents legal provisions first and then the legal issues and issue areas. The headnotes and syllabi of the cases can be useful places to look for guidance, but you **must** read all of the opinions to accurately code. Some legal provisions or issues may arise in separate opinions, for example, but not in the majority. Such provisions and issues **should be coded**. In addition, please code legal provisions and issues/issue areas that are raised in the Questions Presented even if they are not discussed in the opinions.

LEGAL PROVISIONS AT ISSUE IN CASE AND/OR QP'S

This variable identifies the legal provisions (LPs) construed or relied on by the Court (or by at least one of the opinions in the case) and/or raised or implicated by the Questions Presented. (The QP's are the questions that the Court has agreed to hear argument on.) To locate the LP's, you must look at the QP's and *all* of the opinions in a case.

Each record has only one LP. A case may have as many records as necessary to accurately report its LPs.

A legal provision can be a statute, constitutional provision, treaty, legal doctrine, or seminal case. **The mere fact that a legal provision is mentioned, however, does not mean that it should be coded.** The question is whether the legal provision is central to the Court's consideration of the case, to one of the opinions or in the Questions Presented.

There is no limit to the number of LP's that can be coded, and there is no presumption that a case will have any particular number of LP's. There may even be cases that do not appear to have a

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legal provision to code. In such a case, leave the LP column blank.

If the Court declines to answer a QP on jurisdictional grounds, the jurisdictional statute and/or doctrine should be coded as a legal provision(s). Where the Court dismisses as improvidently granted, one of the LPs should be WIG. These cases may well have other legal provisions to be coded from the QP's and/or any opinion accompanying the dismissal.

Where a state or local government allegedly abridges a provision of the Bill of Rights that has been made binding on the state because it has been "incorporated" into the due process clause of the 14th amendment, identification is to the specific constitutional guarantee, rather than to the 14th Amendment. If the incorporation doctrine itself is at issue, however, then the 14th amendment should be coded.

If the Court is reviewing a federal administrative agency's action, be sure to read the opinion carefully to determine the statutory authority under which the agency is acting and based on which the court is reviewing. This statute should be one of the legal provisions in the case. If you do not see such a statute, please flag the case.

For the most part, the identification of LP's follows the Database's original instructions. In addition, there are some additional specific instructions:

When coding court rules, code the specific Rules at issue (e.g. CIVP 12b6; SCTR 10) (See *Reeves v. Sanderson Plumbing Products*, one of the attached sample cases).

Code as follows, with appropriate number following:

CIVP	Federal Rules of Civil Procedure
CRMP	Federal Rules Criminal Procedure
FRE	Federal Rules of Evidence
APPP	Federal Rule of Appellate Procedure
BNKP	Federal Rule of Bankruptcy Procedure
SCTR	Supreme Court Rules

Code without rule numbers:

LDCT	Local District Court Rules
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Any case involving a habeas petition should include HC as one of its legal provisions, even if habeas doctrine is not explicitly discussed.

State statutes and regulations should be coded as STATE.

Notes on identifying legal doctrines as LPs:

Legal doctrines that are not based directly on statutes, treaties, court rules, or the Constitution. This is judge-made or judge-elaborated law. Legal doctrines that might be coded include sexual harassment and qualified immunity. Sexual harassment doctrine arises from Title VII, but has evolved beyond construction of or reliance on the statute. Depending on the case, Title VII (or some other anti-discrimination statute) might also be coded as an LP.

Notes on identifying seminal cases as LPs:

Where a case has become identified with a legal doctrine or a mode of analysis, it can constitute an LP. (Generally, you should code either the name of a doctrine or the name of a case, but not both, in coding a legal doctrine as LP.) In determining whether to code a case as a legal provision, consider the following:

(A) Is the issue about whether or how to extend a fairly narrow or fact-specific case holding? If so, the case is probably not a legal provision.

(B) How is the case discussed in the opinion(s)? If the opinion discusses the case in order to distinguish it (or refuse to distinguish it), the case is probably not a legal provision. If, on the other hand, the opinion discusses the case in terms of the application of a legal doctrine that the case stands for, then the case is probably a legal provision.

Example: The QP in *Missouri v. Seibert*, 542 U.S. 600 (2004), read as follows:

Is the rule "that a suspect who has once responded to unwarned yet uncoercive questioning is not thereby disabled from waiving his rights and confessing after he has been given the requisite Miranda warnings," [Oregon v. Elstad, 470 U.S. 298, 318 \(1985\)](#), abrogated when the initial decision to withhold the Miranda warnings was intentional?

Seibert is about whether to extend the holding of *Elstad* to a slightly different factual situation. *Elstad* is therefore not a legal provision and should not be coded at all. Note, however, the reference to Miranda warnings. Miranda warnings, named for the *Miranda* case, does constitute

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a legal provision. (As it happens, Miranda is one of the few seminal cases that is actually recognized as a legal provision in the original codebook – 5AMI – 5th amendment Miranda warnings.)

Example: Hamdi v. Rumsfeld, 542 U.S. 507 (2004), involved the following QP's:

I. Whether the Constitution permits Executive officials to detain an American citizen indefinitely in military custody in the United States, hold him essentially incommunicado and deny him access to counsel, with no opportunity to question the factual basis for his detention before any impartial tribunal, on the sole ground that he was seized abroad in a theater of the War on Terrorism and declared by the Executive to be an "enemy combatant"?

II. Whether the indefinite detention of an American citizen seized abroad but held in the United States solely on the assertion of Executive officials that he is an "enemy combatant" is permissible under applicable congressional statutes and treaty provisions?

III. Whether the separation of powers doctrine precludes a federal court from following ordinary statutory procedures and conducting an inquiry into the factual basis for the Executive branch's asserted justification for its indefinite detention of an American citizen seized abroad, detained in the United States, and declared by Executive officials to be an "enemy combatant"?

In answering the petitioner's claims involving constitutional due process, the plurality invoked the seminal case of *Mathews v. Eldridge*. That case provides a balancing test to be used in determining what process is due, and the plurality relied on it for its analysis of Hamdi's due process challenge to his detention. *Mathews v. Eldridge* is therefore a legal provision for *Hamdi* – it is a seminal case/doctrine, and it is central to the plurality's reasoning.

Notes on identifying treaties:

Record the name of the treaty, e.g. Vienna Convention, Geneva Convention, as the LP.

Statutes with popular names that are not listed in the following pages can be coded with their popular name. So, for example, the Authorization of the Use of Military Force, can be coded as AUMF (see *Hamdi v. Rumsfeld*, one of the attached sample cases).

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Legal issues and issue areas

These variables identify the legal issues that arise. There is no formal relationship between the LPs and the **legal issues**, but there is likely to be a lot of overlap. As in the LP's, if a legal issue arises only in the QP's, please flag with an asterisk.

There is no limit to the number of legal issues that can arise in a case. You should not strive for as many issues as possible, however. Rather, you should aim to identify the issues that accurately describe what the case is about.

At least one record per case should contain all of the legal issues and issue areas coded for that case.

In determining what issues and issue areas should be coded, imagine that you are trying to describe the case to a first year law student. You want the student to understand what the case is about and what areas of law it implicates.

Each issue is represented by a pair of codes – issue area and the more specific issue. **You should start by identifying the issue area, and then locate the more specific issue code(s).** So, for example, a case involving attorneys fees for a section 1983 plaintiff should receive a code of 396 – fee shifting in the civil rights issue area *and* a code of 543 in the legal profession issue area. A case involving attorneys fees in, say, an antitrust case, would receive a code of 601 – antitrust in the econ activity issue area and a code of 543 in the legal profession issue area. If you think that there are issues missing from these coding lists, please flag those cases and issues for me.

Notes on legal issues:

Legal issues might arise in several different ways. Even a case with a single question presented might have multiple legal issues. Sometimes this is because legal issues interact with each other. In *Reeves*, for example, the case addresses the relationship between the *McDonnell-Douglas* burden-shifting framework for employment discrimination cases and two different rules of civil procedure. In some cases, there might be different ways to characterize the question that the Court resolves. *Reeves*, for example, could be seen as a case about summary judgment and judgment as a matter of law, but also as a case about employment discrimination. In some cases, different legal issues might be completely distinct from each other – a standing question, for example, followed by a determination on the merits. There may be other types of relationships between legal issues as well.

LEGAL ISSUE CODES

Please note that the codes as listed here in the codebook are not always in numerical order. If you believe that there should be additional issues or issue areas to adequately describe cases, please flag those cases for me.

ISSUE AREA CRIM

CRIMINAL LAW AND CRIMINAL PROCEDURE

Rights of suspects (pre-trial) [Note – subheadings like this, in italics and without numerical codes, are for your convenience in identifying the appropriate issues.]

- 001 Vienna Convention
- 010 involuntary confession
- 016 search and seizure, misc, not 017 or 018
- 017 search and seizure, vehicles
- 018 search and seizure, Crime Control Act
- 021 self-incrimination, pre-trial, other than 022 and 023
- 022 Miranda warnings
- 050 Line-up (admissibility)

Rights of accused (adjudication)

- 014 Plea bargaining
- 011 Exclusionary rule (whether to apply, as distinct from whether a constitutional violation occurred)
- 020 Contempt of Court, criminal
- 019 self-incrimination, at trial

- 023 self-incrimination, immunity from prosecution
- 030 right to counsel (cf) 381-82
- 031 ineffective assistance of counsel, not conflicts
- 032 ineffective assistance of counsel, conflicts
- 033 competence to stand trial
- 034 competence to be executed
- 035 access to psychiatrist or other expert
- 036 appointment of counsel (separate from right to counsel)
- 037 payment of fine
- 038 right to appeal
- 039 prosecutorial misconduct
- 060 discovery and inspection in criminal context, including Brady violations
- 070 double jeopardy
- 080 ex post facto (state)
- 081 right to testify
- 082 sentencing phase, capital case
- 083 sentencing phase, non-capital case (state)
- 084 sentencing phase, non-capital case (federal)
- 085 due process, criminal context, not otherwise specified
- 100 extra-legal jury influences, misc. [Note: subheadings like this, in roman type and with assigned numbers, may be coded if there is not a more specific code that applies. But if a more specific code applies, please code that instead. The more specific codes follow.]

- 101 prejudicial statements or evidence
- 102 contact with jurors outside courtroom
- 103 jury instructions
- 104 voir dire
- 105 prison garb or appearance
- 106 jurors and death penalty (cf. 040)
- 107 pretrial publicity
- 110 confrontation rights (accuser, witnesses)
- 111 confession of error, criminal
- 112 conspiracy (cf. 163), criminal
- 113 entrapment
- 114 exhaustion of remedies, criminal context
- 115 fugitive from justice
- 116 presentation, admissibility, or sufficiency of evidence, criminal context
- 117 stay of execution
- 118 timeliness, including statutes of limitations, criminal context
- 120 Federal Rules of Crim Pro
- 121 Application of Federal Rules of Evidence in criminal proceedings
- 122 Application of Federal Rules of Appellate procedure in criminal proceedings
- 123 Application of federal trial court rules, criminal context
- 124 Application of federal appellate court rules, criminal context

- 125 Application of state trial court rules of evidence, criminal context
- 126 Application of other state trial court rules or procedures, criminal context
- 127 Application of state appellate court rules, criminal context

Statutory construction of federal criminal laws:

- 161 assault
- 162 bank robbery
- 163 conspiracy (cf. 112)
- 164 escape from custody
- 165 false statements (cf. 177)
- 166 financial (other than 168 or 173)
- 167 firearms
- 168 fraud
- 169 gambling
- 171 Hobbs Act (18 USC 1951, not 18 USC 2341)
- 172 immigration (cf. 371-76)
- 173 internal revenue (cf. 960, 970, 975, 979)
- 174 Mann Act
- 175 narcotics
- 176 obstruction of justice
- 177 perjury (other than as pertains to 165)
- 178 Travel Act, 18 USC 1952

- 179 war crimes
- 180 sentencing guidelines
- 181 misc
- 190 jury trial (right to, as distinct from 100-107)
- 191 speedy trial
- 199 misc criminal procedure (cf. 504, 702)

Habeas (should writ issue), misc

- 013 Habeas (review of state court convictions)
- 002 Certificate of appeal
- 003 Procedural default
- 004 Habeas (review of federal convictions)
- 005 Habeas (other)

Retroactivity

- 015 Retroactivity of newly announced or newly enacted constitutional or statutory rights, non-habeas criminal context
- 006 Retroactivity of newly announced or newly enacted constitutional or statutory rights, habeas criminal context

Cruel and Unusual Punishment

- 040 Cruel and unusual punishment, death penalty (cf. 106)
- 041 Cruel and unusual punishment, non-death penalty
- 042 Cruel and unusual punishment, conditions of confinement, not sentence

- 043 Cruel and unusual punishment, other than death or imprisonment
- 044 Non-punitive detention (e.g. pretrial detainees), criminal context

Issue Area: CIVRT

Civil Rights

Voting and elections

- 210 constitutional right to vote (cf. 250, 211, 341)
- 211 Voting Rights Act, general
 - 213 Voting Rights Act, Section 2
 - 214 Voting Rights Act, Section 5
- 212 ballot access of candidates and parties
- 250 reapportionment, non-VRA cases, one-person one-vote
- 251 reapportionment, non-VRA cases, equal protection challenge
- 252 other voting issues

Race and equal protection

- 220 desegregation, other than 221-23
- 221 desegregation, schools
- 222 employment discrimination, constitutional
- 223 affirmative action in employment, constitutional
- 224 other discrimination, constitutional
- 225 other affirmative action, constitutional

Gender and equal protection

- 226 employment discrimination, constitutional
- 227 affirmative action in employment, constitutional

- 283 other discrimination, constitutional
- 228 other affirmative action, constitutional
- 229 Employment discrimination[, non-constitutional], misc
 - 231 race
 - 232 age
 - 233 religion
 - 234 national origin
 - 235 racial harassment
 - 236 retaliation
 - 284 gender
 - 285 sexual harassment
 - 286 other harassment
 - 237 affirmative action, race, non-constitutional
 - 288 affirmative action, gender, non-constitutional
 - 289 affirmative action, other, non-constitutional

Juveniles – equal protection

- 301 juveniles (cf. 321)
- 321 illegitimate children

Juveniles – statutory

- 301 juveniles, not IDEA

- 321 illegitimates
- 331 Disabled, misc
 - 332 employment, equal protection
 - 333 equal protection, not employment
 - 334 ADA or Rehab Act in employment
 - 335 ADA or Rehab Act, not employment
 - 336 IDEA (Individuals with Disabilities in Education Act)
 - 337 Poverty and equal protection, misc
 - 341 residency requirements for public benefits for US citizens
 - 312 poverty law, statutory
 - 313 welfare benefits (AFDC, TANF)
 - 314 medicaid benefits
 - 315 medicare benefits
 - 316 social security benefits, retirement
 - 317 social security benefits, survivors
 - 318 social security or SSI benefits, disabled
 - 319 other benefits
- 342 residency requirements, equal protection, not poverty law
- 343 residency requirements, statutory, not poverty law

Indigents, due process, non-criminal

- 381 appointment of counsel
 - 382 inadequate representation by counsel
 - 383 payment of fine
 - 384 costs or filing fee
 - 385 U S Supreme Court docketing fee
 - 386 transcript
 - 387 assistance of psychiatrist
 - 388 misc
-
- 391 Tort liability under civil rights acts (cf. 616-617)
 - 392 Misc civil rights (cf. 701)

Fundamental rights and equal protection

- 393 voting (not otherwise coded in voting section)
- 394 first amendment
- 395 other

Attorneys' fees

- 396 fee shifting statutes

ISSUE AREA 1A

FIRST AMENDMENT

PLEASE REMEMBER TO LIMIT ALL CODES BELOW TO 1ST AMENDMENT CONTEXT. SIMILAR CODES INVOLVING OTHER CONTEXTS SHOULD BE LOCATED IN OTHER ISSUE AREAS

- 230 sit-ins protesting racial discrimination in public accommodation
- 451 other protest demonstrations, other than for free exercise or establishment clause
- 401 First Amendment, misc (cf.. 703): residual category for first amendment cases other than free exercise or establishment clause
- 411 commercial speech, other than attorneys (544)
- 544 attorneys' commercial speech
- 415 libel and defamation, public officials
- 417 libel and defamation, public figures
- 418 libel and defamation, private individuals
- 416 libel, true and false light invasions of privacy

National security

- 421 legislative investigations: concerning "internal security" only
- 422 federal internal security legislation: Smith, Internal Security, and related federal statutes
- 430 loyalty oath or non-communist affidavit, other than 431-34
- 431 loyalty oath, bar applicants (cf. 546, 548)
- 432 loyalty oath, government employees
- 433 loyalty oath, political party

- 434 loyalty oath, teachers
- 435 security risks: denial of benefits or dismissal of employees for reasons other than failure to take loyalty oath
- 436 press access to secret or classified information
- 437 misc
- 444 campaign spending (cf. 650), other than Taft-Hartley Act

Religion

- 455 free exercise (other than religious accommodation in public schools)
- 461 establishment of religion, other than 462
- 462 government aid to religious schools
- 463 religious accommodation in public schools
- 441 conscientious objectors (cf. 361-62) to military service

Obscenity

- 471 obscenity, state (cf. 706)
- 473 obscenity, state, 21st amendment (part of 471 in Spaeth)
- 472 obscenity, federal
- 474 pornography
- 475 other sexual expression cases

ISSUE AREA DP

Due Process

- 501 Procedural due process (cf. 431-34)
 - 502 hearing or notice (other than 503 or 504 or 261 or 516-518)
 - 503 hearing, government employees
 - 504 hearing, impartial decisionmaker
 - 506 jurisdiction over non-resident litigants
 - 508 punitive damages
 - 261 debtors' rights (replevin, garnishment, etc.), notice and hearing
 - 311 due process rights of welfare recipients
 - 516 due process rights of social security beneficiaries
 - 517 due process rights of medicare beneficiaries
 - 518 due process rights of other public benefits beneficiaries

- 507 Takings
 - 509 takings, real property
 - 510 takings, just compensation
 - 511 regulatory takings
 - 512 takings, reduction in value, not regulatory takings
 - 513 takings, review of legislative purpose
 - 514 takings, public use requirement
 - 515 debtors' rights

531 Substantive Due Process

533 abortion

535 homosexuality

536 contraception

538 other sexual privacy

534 right to die

ISSUE AREA FEDGOVT

Federal government operations and structure

- 537 FOIA (Freedom of Information Act)
- 616 tort liability, federal governmental, other than civil rights
- 612 contract liability, federal government
- 650 corruption, government response to (but not 444)
- 1000 Administrative law, misc
 - 1001 Ad law, non-delegation doctrine
 - 1002 Agency interpretation of law: Chevron or Skidmore
- 1010 Executive power, misc
 - 1011 commander-in-chief power
 - 1012 foreign affairs power
 - 1013 habeas, national security context
 - 1014 federal habeas, non-criminal context
- 1020 Congressional power, misc
 - 980 legislative veto
 - 1021 appropriations, validity
 - 1022 appropriations, scope
 - 1023 abrogation of 11th amendment, 14th amendment context
 - 1024 abrogation of 11th amendment, non-14th amendment context
 - 1025 legislative standing

- 1028 commerce clause
- 1029 taxing power
- 1030 federal government as employer
- 1031 individual tax issues
- 1032 corporate tax issues

ISSUE AREA STATEGOVT

State/local government operations and power

- 1100 liability, state governmental, other than civil rights
- 631 state regulation of business (cf. 910, 911)
- 652 zoning, constitutional (but not regulatory takings)
- 1102 zoning, not constitutional
- 1103 state-local relations, federal interference
- 1104 habeas, non-criminal
- 1105 state/local government as employer

Issue area **FEDER**

Federalism

- 1200 11th amendment, waiver
- 626 state tax (as challenged on basis of supremacy clause)
- 631 state regulation of business
- 900 federal-state ownership dispute (cf. 920)
- 910 federal preemption of state court jurisdiction (usually in union context), non-constitutional – primary jurisdiction rationale
- 920 Submerged Lands Act (cf. 900)

National supremacy, constitutional

- 930 commodities
- 931 intergovernmental tax immunity
- 932 marital property
- 940 child support
- 941 child custody
- 933 natural resources
- 934 pollution, air or water
- 935 public utilities (cf. 681-88)
- 936 state tax (cf. 626)
- 939 misc
- 949 Misc federalism (cf. 294, 701-08, 712, 754-55, 854, 858, 860)
- 1101 other constitutional preemption, misc

- 1105 dormant commerce clause
- 1106 immigration
- 911 federal preemption of state legislation or regulation, not union, non-constitutional (usually), misc.
- 1121 ERISA
- 1107 10th amendment
- 1108 spending clause with respect to the states

Issue area IR

Interstate relations

- 950 boundary dispute
- 951 non-real property dispute
- 952 interstate compact
- 973 misc interstate relations conflict

Issue area 08 LEGPRO

Legal profession and lawyering

- 542 attorneys fees, misc
 - 543 fee shifting statutes
 - 545 contingent fees
- 547 commercial speech of attorneys
- 546 admission to state or federal bar
- 549 disbarment or other attorney discipline
- 548 admission to Supreme Court bar
- 654 Alternative dispute resolution, misc
 - 653 arbitration (not union – see 553)

Litigation

- 615 election of remedies: legal remedies available to injured persons or things

Issue area EMPLOY

Employment

- 1300 discrimination (see also civil rights coding)
- 559 FLSA (Fair Labor Standards Act)
 - 563 hours
 - 565 minimum wage
 - 566 child labor
- 561 OSHA
- 621 ERISA, misc
 - 622 health insurance, preemption
 - 623 health insurance, other
 - 624 pensions, vesting
 - 625 pensions, other
- 1301 Retaliation, non-discrimination context
- 1302 Workers compensation
- 1303 Employee tort claims
- 1304 COBRA
- 1305 HIPAA (Health Insurance Portability & Accountability Act)
- 1306 government as employer
- 599 Unions
 - 553 union arbitration

- 555 union antitrust
- 557 union or closed shop
- 563 union-member dispute
- 589 labor-management disputes
 - 575 bargaining
 - 576 employee discharge
 - 577 distribution of union literature
 - 578 representative election
 - 579 antistrike injunction
 - 581 jurisdictional dispute
 - 582 right to organize
 - 583 picketing
 - 584 secondary activity
 - 585 no-strike clause
 - 586 union reps
 - 587 union trust funds
 - 588 working conditions

Issue area ECON

Other economic activity

- 601 antitrust (except 605 and 555)
- 605 mergers
- 611 bankruptcy (except 975)
- 614 non-employee tort claims
- 619 Contract claims against business
- 617 other nongovernmental liability
- 618 punitive damages
- 636 federal regulation of securities
- 656 federal consumer protection
- 657 state consumer protection

Federal transportation regulation

- 671 railroad
- 672 boat
- 673 truck or other motor vehicle
- 674 pipeline (cf. 685)
- 675 airline

Federal public utilities regulation (cf. 935)

- 681 electric power
- 682 nuclear power

- 683 oil producer
- 684 gas producer
- 685 gas pipeline (cf. 674)
- 686 radio and TV, broadcast
- 687 cable TV
- 688 telephone company
- 699 misc economic regulation

Issue area IP Intellectual property

- 661 patents
- 662 copyright, statutory
- 665 copyright, constitutional
- 663 trademark
- 664 patentability of computer processes
- 666 patentability of business practices

Issue area ENVIRO Environment

1400 government protection of natural resources (cf 933, 934)

1401 natural resources

1402 pollution, air and water

Issue area JP Judicial power

- 708 Comity with respect to criminal law or 1st Am. (Cf. 12) – deference to state proceedings, abstention, exhaustion of remedies
 - 701 civil rights
 - 702 crim pro
 - 703 1st Am
 - 704 habeas
 - 705 military
 - 706 obscenity
 - 707 privacy
- 712 other comity
- 715 assessment of costs or damages
- 717 Federal Rules of Civ Pro
- 718 Federal Rules of evidence in civil litigation
- 719 Federal rules of appellate procedure in civil litigation
- 720 appellate court rules in civil litigation
- 722 state court rules and procedure in civil litigation
- 721 judicial review of federal administrative agency action
- 731 mootness (cf. 806)
- 741 venue

Dismissals from Supreme Court

- 751 DIG'd
- 752 dismissed for want of fed Q
- 753 dismissed for want of jurisdiction (cf. 853)
- 754 independent and adequate state grounds
- 755 remand to determine basis of state court decision (cf. 858)
- 759 misc. dismissal
- 811 Standing
 - 801 adversary parties
 - 802 direct injury (injury in fact)
 - 803 legal injury
 - 804 personal injury
 - 805 justiciable question
 - 806 live dispute (see 731 - mootness)
 - 807 parens patriae standing
 - 808 statutory standing
 - 809 private or implied cause of action
 - 810 taxpayer suit
 - 813 zone of interests of statute
- 869 Judicial administration (cf. 753)
 - 851 jurisdiction or authority of federal district courts
 - 852 jurisdiction or authority of federal courts of appeals

- 853 Supreme Court jurisdiction or authority on appeal from fed courts
- 854 Supreme Court jurisdiction or authority on appeal from highest state court
- 855 jurisdiction or authority of Court of Claims
- 856 Supreme Court's original jurisdiction
- 857 review of non-final order (cf. 753)
- 858 change in state law (cf. 755)
- 859 federal question
- 860 ancillary or pendent jurisdiction
- 861 extraordinary relief
- 862 certification (cf. 864)
- 863 resolution of circuit split
- 864 objection to reason for denial of cert or appeal
- 865 collateral estoppel or res judicata
- 866 interpleader
- 867 untimely filing
- 868 Act of State doctrine
- 870 Supreme Court cert or appeal jurisdiction
- 1900 7th amendment jury right (civil, not criminal)
- 899 misc judicial power

Issue area TAX Federal taxation

960 federal taxation, misc

970 federal taxation of gifts, personal and professional expenses

975 priority of federal fiscal claims over state or private entities

1500 individual tax issues, other

1501 corporate tax issues, other

Issue area IMMIG
Immigration

- 271 deportation (cf. 371-76)
- 272 employability of aliens (cf 371-76)
- 371 permanent residence
- 372 citizenship
- 373 loss of citizenship, denaturalization,
- 374 access to public education, equal protection
- 375 access to public benefits, equal protection
- 377 access to public benefits, statutory

- 376 misc.

Issue area NA
Native Americans

- 293 Indians, misc.
- 294 Indians, state jurisdiction over
- 1600 Indians, treaties
- 1601 Indians, federal laws governing (but not federal benefits)
- 1602 Indians, federal benefits

Issue area MIL
Military

361 draftee or person subject to induction

362 active duty

363 veteran